

REMARKS

The Office Action Response to Arguments, page 13, suggests a telephone interview with the Examiner. Therefore, Applicants request a telephone interview with the Examiner to expedite prosecution.

Claims 1-3, 6-9, 12-15 and 18 are pending and remain for reconsideration, which is requested.

Claims 1-3, 6-9, 12-15 and 18 are rejected under 35 USC 103(a) as being unpatentable over Valentino (US Patent No. 4,648,037) in view of Kramer (US Patent No. 6,327,574).

The claims are amended. The rejection is traversed.

The independent claims are 1, 7, and 13.

The Office Action maintains from the previous Office Action the rejection of the claims as being obvious over Valentino and Kramer. Previous arguments emphasized that Valentino does not discuss the claimed ***"a purchase simulator that simulates for the advertising company a purchase of the advertising company product based upon the retrieved user information and the received advertising information including the pricing data,"*** however, the Office Action Response to Arguments provides Valentino's 'what if' scenarios meet the claim language and that simulation for an employee, for the organization, or for the advertising company can be intended use and given little if any patentable weight.

In addition, the previous amendment the arguments also emphasized that Valentino does not discuss the claimed ***"a product promotion analyzer that computes a product promotion result of the advertising information based upon the purchase simulation and transmits the product promotion result ... to the advertising company ...,"*** however, the Office Action Response to Arguments, page 12, 2nd to last sentence, provides 'the claimed 'product promotion result' is not currently limited to be the items simulated in the purchase simulator.'

Independent claim 1 is amended taking into consideration the Examiner comments as follows:

a purchase simulator that ***simulates for the advertising company a purchase of the advertising company product based upon the retrieved user information and the received advertising information including the pricing data***, and

a product promotion analyzer that ***computes a product promotion result of the advertising information based upon the purchase simulation of the advertising company product by the purchase simulator*** and transmits the product promotion result of more than one users in aggregate to the advertising company such that privacy is further ensured for the more than one users.

In contrast to Valentino and Kramer amended claim 1 emphasizes computation of a product promotion result for an advertising company based upon a purchase simulation for the advertising company, namely “a product promotion analyzer that ***computes a product promotion result of the advertising information based upon the purchase simulation of the advertising company product by the purchase simulator.***”

In addition, the Office Action Response to Arguments intended use argument is traversed, because the language of claim 1 differentiates from Valentino and Kramer by function and not by use when claim 1 recites an apparatus that retrieves user information and receives advertising information of an advertising company, performs a purchase simulation for the advertising company based upon the retrieved user information, and transmits a result of the purchase simulation to the advertising company. Valentino's relied upon column 13, line 52 to column 14, line 65 only discuss an employee accessing via a terminal 20 benefit and financial information of the employee that includes financial planning services (e.g., ‘what if’ games). In other words, Valentino does not discuss any advertising company in relation to the employee benefit/financial information and does not discuss any purchase simulation for the advertising company, namely “***computes a product promotion result of the advertising information based upon the purchase simulation of the advertising company product by the purchase simulator.***”

In addition, Kramer discusses illuminating sections of documents or other media with (possibly) related multimedia content. And relied upon Kramer column 13, lines 26-53 discuss “... databases track the number of views and other statistics needed for billing and determining overall effectiveness of TIC content selection,” however, Kramer is silent on any purchase

simulation and/or computing a product promotion result based upon a purchase simulation.

Therefore, a prima facie case of obviousness of amended claim 1 over Valentino and Kramer cannot be maintained, because Valentino and Kramer do not disclose expressly or implicitly the language of amended claim 1, namely "***simulates for the advertising company a purchase of the advertising company product based upon the retrieved user information and the received advertising information including the pricing data, and ... computes a product promotion result of the advertising information based upon the purchase simulation of the advertising company product by the purchase simulator***" and transmits the product promotion result of more than one users in aggregate to the advertising company such that privacy is further ensured for the more than one users."

Withdrawal of the rejection of claim 1 and allowance of claim 1 is requested.

Independent claims 7 and 13 include limitations similar to the discussed limitations of amended claim 1.

The remaining dependent claims inherit the patentable recitations of their respective base claims, and therefore, patentably distinguish over the cited art for the reasons discussed above in addition to the additional features recited therein.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,
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